

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. Claims 1-19 have been examined. Claims 4, 8, 12, and 18 have been cancelled. Claims 20-24 have been added. Claims 1-3, 5-7, 9-11, 13-17, and 19-24 are all the claims pending in the application.

Formal matters

Applicant thanks the Examiner for acknowledging the claim to foreign priority and receipt of the certified copy of the priority document.

Applicant also thanks the Examiner for reviewing and initialing the documents in the Information Disclosure Statements (IDSs) submitted on November 28, 2006 and January 21, 2004.

The Examiner has also not indicated the status of the drawings filed on January 21, 2004. Applicant respectfully requests the Examiner to accept the drawings on the next action.

IDS submitted on April 2, 2007

Applicant notes that the Examiner has not considered the documents in the IDS submitted on April 2, 2007, and respectfully requests the Examiner to consider and initial these documents on the next action.

Claim objections / allowable subject matter

The Examiner has allowed claim 19, and claims 2, 5-12, and 14-17 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicant has cancelled claims 8 and 12 without prejudice or disclaimer. Applicant has

rewritten claim 6 into independent form, and respectfully requests the Examiner to allow claim 6. However, with respect to the remaining objected to claims, Applicant holds in abeyance such rewriting based on the arguments which follow.

Claim rejections -- 35 U.S.C. § 103

Claims 1, 3, 4, 13, and 18 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over European Patent No. EP 0422774 to Ishikawa, in view of U.S. Patent No. 5,982,737 to Takagishi. Claims 4 and 18 are cancelled without prejudice or disclaimer. With respect to the remaining claims, Applicant respectfully traverses this rejection.

For example, claim 1 recites the feature of a disk substrate having a recording layer and a cover sheet applied over the recording layer on one side of the disk substrate, and a display sheet applied to a side of the substrate opposite to the surface with the cover sheet. The Examiner asserts that the combined teachings of Ishikawa and Takagishi teach this feature of claim 1.

Specifically, the Examiner cites Ishikawa for the teaching in Figs. 1 and 2 of a sheet 5, 6 which is applied on a protective layer 4 of a optical disk 1, and which may be written on by a pencil, etc. (see col. 6, lines 36-43). However, Applicant notes that information is read out of the optical disk 1 from the top side, as shown in the Fig. 1. That is, the information is read out from the recording layer 3 through the transparent substrate layer 2.

The Examiner then proposes to combine this teaching with the teaching of Takagishi at Figs. 1 and 2. Figs. 1 and 2 of Takagishi show a Design A and a Design B on opposite sides of the substrate.

However, as may be seen from Fig. 3, Ishikawa teaches that both the Design A and Design B layers are applied to only one side of the substrate. First, a 1st print layer 2a is applied to the substrate. This layer would have the Design A printed on the bottom of the layer in Fig. 3. Then, a background print layer 7 is applied on top of the 1st print layer 2a. Finally, a reverse side display area layer 6 is applied on top of the background print layer 7. This reverse side layer would have printing corresponding to the Design B on the top of the layer as it is shown in Fig. 3. Accordingly, the Design A may be seen through the transparent substrate from the "read-out side" as indicated in Fig. 3, and the Design B may be seen from the side opposite to the "read-out side". However, both printing layers are applied to only one side of the substrate, i.e., the non-readout side.

Thus, both Ishikawa and Takagishi provide sheets for inscribing text, but in both Ishikawa and Takagishi, all of the sheets are applied to one side of the substrate only -- the non-readout side. Thus, Applicant respectfully submits that the combined teachings of Ishikawa and Takagishi do not meet the claim limitation wherein the cover sheet and the display sheet are applied on opposite sides, respectively, of the substrate, as recited by claim 1. Claim 1 is therefore patentable for this reason.

Applicant further submits that combining the sheet 5, 6 of Ishikawa on one side of the substrate with the reverse side display area 6 of Takagishi on the opposite side, as recited by Claim 1, would result in an inoperative device because the recording area of Ishikawa would then be covered up by a display sheet, thus preventing laser readout of the information on the recording area. Thus, one having ordinary skill in the art would not be led to combine the teachings of Ishikawa and Takagishi because the references teach away from their combination.

Since neither Ishikawa nor Takagishi, standing alone, teach all of the limitations of Claim 1, Claim 1 is patentable for this additional reason.

New claims

Applicant herein adds claims 20-24, and submits that these claims are patentable based on their respective dependencies.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

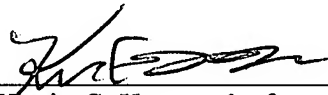
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